



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
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MARCH 7, 2016

Regular meeting of the City Council held on Monday, MARCH 7, 2016 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juaire, Oram, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Absent: Ossing. Meeting adjourned at 9:53 PM.

ORDERED: That the Minutes of the City Council meeting FEBRUARY 22, 2016, **TABLED UNTIL NEXT CITY COUNCIL MEETING**; adopted.

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment by adding a new Section to Chapter 650 §35, HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT, Order No. 16-1006443, all were heard who wish to be heard, hearing recessed at 9:09 p.m.

Councilors Present: Delano, Doucette, Elder, Tunnera, Irish, Clancy, Landers, Juaire, Oram, & Robey.

Absent: Ossing

ORDERED: That the Communication from Mayor re: Amended Salary Schedule for Non-Union positions as recommended by the Finance Committee, Order No. 14/15/16-1006005A-1, **MOVE TO ITEM 18**; adopted.

ORDERED: That the Right of First Refusal concerning the purchase offer for land at 421 Bolton Street, as provided to the City under M.G.L. c. 61, § 8 in the Notice of Intent dated January 26, 2016, refer to the **URBAN AFFAIRS COMMITTEE**; adopted.

That the Communication from the Mayor re: West Hill Rd. Project, refer **BACK TO THE MAYOR TO REQUEST A REAFFIRMATION OF THE CITY COUNCIL VOTE TO MOVE PROJECT FORWARD**; adopted.

Councilor Irish recused.

President Delano orally reported approval via a hand vote of 9-0.

Councilor Ossing was absent.

ORDERED: That the Communication from the Planning Board re: Waters Edge Subdivision Correspondence from Legal Department, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

Councilor Oram recused.

ORDERED: That there being no objection thereto set **MONDAY, APRIL 4, 2016** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit, Q Café d/b/a Firefly's, 350 East Main St., to expand outdoor patio/deck area; add small bar; add serving cooking kitchen; add acoustic music; add televisions; add games; add fire pit; and add outdoor heating. The capacity is to remain the same.

Refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, APRIL 4, 2016** as **DATE FOR PUBLIC HEARING** On the Application for LED Sign Special Permit, Marlborough Savings Bank, 71 Boston Post Rd. E. to erect an electronic message board below the existing Marlborough Savings Bank sign, refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.

Councilor Delano recused.

Councilor Elder submitted a disclosure which is now on file with this order.

ORDERED: That the Application of Cynthia DesGrange, Hightech Signs, to display temporary mesh banners on the chain link construction fence at the future site of Talia Apartments, 155 Ames St., refer to **CODE ENFORCEMENT**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, APRIL 4, 2016** as date for a **PUBLIC HEARING** On the Petition from National Grid and Verizon New England, Inc. to relocate P5, P6-50, P7, P8, P10, P10-80, P11, P11-50 along Main St. between Main St. and Francis St. The City of Marlborough requests pole relocations to accommodate road improvement project, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Junk Dealer/ Second Hand License, Rosiane Domar-Nelson, D'Mar Enterprises Inc., 181 Boston Post Rd., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from MassDevelopment re: Consideration of Approval of Revenue Bond Financing for a Project by CIL Realty of MA, **FILE**; adopted.

Councilor Robey requested that this communication be posted on the City's webpage. Request was honored and placed under the Announcements category.

ORDERED: That the Minutes, Planning Board, February 8, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, January 21, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessor's, February 17, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, February 2, 2016, **FILE**; adopted.

ORDERED: That the following **CLAIMS**, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Steven Delory, 543 Bigelow St., residential mailbox claim 2(a).
- b. Eileen Tupper, 159 Stearns Rd., residential mailbox claim 2(a).
- c. Robert Levine, 32 Queensview Rd., residential mailbox claim 2(a).
- d. Mariyn Glickman, 136 Taylor Rd., residential mailbox claim 2(b).

Reports of Committees:

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: March 2, 2016

Time: 6:15 PM

Location: City Council Chambers, 2nd Floor, City Hall, 140 Main Street

Convened: 6:19 PM

Adjourned: 6:26 PM

Present: Chairman Landers; Public Services Committee Members Councilors Irish and Doucette; and Councilor Clancy

Order No. 16-1006444: Application for Junk Dealer's License, Gercieile Costa, Brazcom Wireless Inc., 223b Main Street. Gercieile Costa of Brazcom Wireless Inc. is an authorized dealer for Metro PCS which is now part of T-Mobile. T-Mobile offers customers the opportunity to bring in their old devices, which are returned to T-Mobile, for a discount on the purchase of a new wireless device. She does not currently sell refurbished devices but that may change in the future. **Motion made by Councilor Irish, seconded by Chair, to approve Order No. 16-1006444. The motion carried 3-0.**

Motion made by Councilor Doucette, seconded by Councilor Irish, to adjourn. The motion carried 3-0. The meeting adjourned at 6:26 PM.

Suspension of the Rules requested-granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, MARCH 7, 2016 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, be further amended by amending Chapter 125 entitled "**PERSONNEL**", Section 6 entitled "**COMPENSATION SCHEDULE**" having been read was **ORDERED ADVERTISED**; adopted as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- A. Section 6 is hereby retitled "Salary Schedule"
- B. This salary schedule shall take effect July 1, 2016.
- C. Any new hires to the positions listed below who are appointed to their position will begin at Step 1.
- D. The Mayor shall have the authority and discretion to waive any two steps of the salary schedule for all positions, subject to available appropriation.
- E. The positions of City Solicitor, Executive Aide to the Mayor, Executive Secretary to the Mayor, and Secretary/Research Assistant to the City Council, as at-will employees, shall be compensated reasonably in any amount up to but not to exceed their Step 7 Maximum.

F. As allowed under Massachusetts General Law Chapter 41, Section 108O, the positions of Police Chief and Fire Chief are eligible to receive employment contracts provided that their total compensation, including but not limited to salary, stipends and educational incentives does not exceed their Step 7 Maximum.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Comptroller - Treasurer	\$109,014	\$111,194	\$113,418	\$115,686	\$118,000	\$120,360	\$122,767
Police Chief	-	-	-	-	-	-	\$166,464
Human Resources Director	\$87,765	\$89,521	\$91,311	\$93,137	\$95,000	\$96,900	\$98,838
City Auditor	\$89,613	\$91,405	\$93,234	\$95,098	\$97,000	\$98,940	\$100,919
City Solicitor	-	-	-	-	-	-	\$117,565
City Clerk	\$81,298	\$82,924	\$84,583	\$86,274	\$88,000	\$89,760	\$91,555
Executive Aide to the Mayor and Secretary/Research Assistant to the City Council	-	-	-	-	-	-	\$68,666
Executive Secretary to the Mayor	-	-	-	-	-	-	\$53,009
Assistant City Solicitor	\$82,125	\$83,767	\$85,443	\$87,152	\$88,895	\$90,673	\$92,486
Chief Procurement Officer	\$76,679	\$78,213	\$79,777	\$81,372	\$83,000	\$84,660	\$86,353
Library Director	\$91,461	\$93,290	\$95,156	\$97,059	\$99,000	\$100,980	\$103,000
Paralegal	\$40,335	\$41,142	\$41,965	\$42,804	\$43,660	\$44,533	\$45,424
Assistant Recreation Director	\$57,279	\$58,424	\$59,593	\$60,785	\$62,000	\$63,240	\$64,505
Senior Clerk (nonunion)	\$40,335	\$41,142	\$41,965	\$42,804	\$43,660	\$44,533	\$45,424

G. Any changes to the salary of the Mayor and City Council shall not take effect until January 1, 2018.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Mayor							\$100,000
City Council							\$10,000

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, FEBRUARY 22, 2016 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, “**USE OF SICK LEAVE ORDINANCE**” having been read was **ORDERED ADVERTISED**.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Section 125-27, entitled “Use of sick leave” is hereby amended by deleting paragraph C in its entirety and inserting in place thereof the following new paragraph C:

- C. Upon the termination of employment of a non-union employee, except where the termination is by the City for cause, or upon the death of a non-union employee, the City shall pay to said employee or said employee's beneficiary or estate, whichever is applicable, the value of the employee's accumulated and unused sick leave, not to exceed the amount of \$5,000.00.

TABLED UNTIL THE MARCH 21, 2016 CITY COUNCIL MEETING AS THE LEGAL ADS WERE ADVERTISED ON SATURDAY, FEBRUARY 27, 2016 THEREFORE CAN NOT BE BEEN FURTHER ADDRESSED UNTIL THE MARCH 21, 2016 CITY COUNCIL MEETING TO COMPLY WITH THE TEN DAY PERIOD; adopted

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:53 PM.